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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,900	04/26/2000	Tom R. Vandermeijden	UWP1P029/1131	1580

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EXAMINER

ABEBE, DANIEL DEMELASH

ART UNIT PAPER NUMBER

2654

DATE MAILED: 06/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/558,900

Applicant(s)
Vandermeijden

Examiner
Daniel Abebe

Art Unit
2654



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 26, 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4, 5 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Brotman et al. "Brotman" (5,917,889).

As to claims 1, 17, 21 and 22, Brotman teaches a method for inputting data into a wireless and wired communication device having keys associated with a plurality of characters, the method for disambiguating the multiple characters associated with the keys by using voice recognition, comprising the steps of:

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receiving a first ambiguous keypad input and generating keypad patterns (Col.4, lines 36-40);

receiving a second voice input associated with the keypad input and generating voice patterns; and

comparing the two patterns to identify the desired keyboard character (Col.4, line 16-Col.5, line 25). Fig.3).

As to claims 2, 5 and 23, Brotman teaches where identifying the command is synchronized with the key (Fig.2).

As to claims 3 and 24-25, Brotman teaches where plurality of characters are associated with each keyboards and one character is selected by voice (Col.4, lines 36-40; Col.4, lines 60-65).

As to claim 4, Brotman teaches where each patterns are associated with the keys (Fig.2).

As to claims 6 and 26, Brotman teaches using speech feature patterns to recognize the utterance (Fig.2).

As to claims 7 and 27, Brotman teaches where plurality of patterns are associated with the keys and selection is made by performing key and voice pattern matching based on the combination of the keypad input and the voice input (Fig.2).

As to claim 8, Brotman teaches where the characters include alphabets and numbers (Fig.1).

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As to claim 18, Brotman teaches where the voice input is made simultaneously with the key input (Fig.2)

With respect to claims 9-16 and 19-20, given the method as taught by Brotman a corresponding computer readable medium for storing program code and a system same as claimed are inherent.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kanevsky et al. (6,401,065) see the entire document.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Daniel Abebe whose telephone number is (703) 308-5543. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold, can be reached at (703) 305-4379. The facsimile phone number for this group is (703)872-9314.

Any inquiry of general nature or relating to the status of this application should be directed to the Technology Center 2600 Customer Service office whose telephone number is (703) 306-0377

Daniel Abebe, Patent Examiner-Art Unit 2654

A handwritten signature in black ink, appearing to read 'Daniel Abebe', written in a cursive style.

June 14, 2002